

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 28 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 28 2000

The applicant **JAMES M. AWBREY**, hereby makes application for permission to change the **existing place of use of a portion** of water heretofore appropriated under **Truckee-Carson Irrigation District Serial No. 548-1-B & 561-1-C United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183; Both in the Federal District Court of Nevada**

1. The source of water is **Truckee River & Carson River**
2. The amount of water to be changed **2.45 ac.ft.**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Lahontan Dam being within the SW¼ SE¼ Section 33, T.19N. R.26E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **a portion of the NE¼ SE¼ of Section 26, T.19N., R.28E., M.D.B.&M. (T.C.I.D. Serial No. 548-1-B) a total of 0.70 ac.**
8. Existing place of use **a portion of the SW¼ NE¼ of Section 28, T.19N., R.28E., M.D.B.&M. (T.C.I.D. Serial No. 561-1-C) a total of 0.70 ac.**
9. Use will be from **As Decreed**
10. Use was permitted from **As Decreed**
11. Description of proposed works **Dam, Canal and Ditches**
12. Estimated cost of works **Complete**
13. Estimated time required to construct works **Complete**
14. Estimated time required to complete the application of water to beneficial use **4 years**
15. Remarks: **Water will be delivered via the "V" Lateral.**

By **s/Barry A. Fitzpatrick**
Barry A. Fitzpatrick, Lumos & Associates
137 Keddie Street
Fallon, Nevada 89406

Compared cmf/bk ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River Final Decrees is issued subject to the terms and conditions imposed in said Decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.45 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

May 11, 2005

Proof of the application of water to beneficial use shall be filed on or before:

June 11, 2005

Map in support of proof of beneficial use shall be filed on or before:

June 11, 2005

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 11th day of, May A.D. 2001


State Engineer

Completion of work filed N/A

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____